



General Assembly

February Session, 2008

Raised Bill No. 5808

LCO No. 2440

02440_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING SOCIAL SECURITY NUMBERS ON BIRTH CERTIFICATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-48 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Not later than ten days after each live birth which occurs in this
4 state, a birth certificate shall be filed with the registrar of vital statistics
5 in the town in which the birth occurred and the certificate shall be
6 registered if properly filed, by manual or electronic systems as
7 prescribed by the commissioner. On and after January 1, 1994, each
8 hospital with two hundred or more live births in calendar year 1990, or
9 any subsequent calendar year, shall electronically transmit birth
10 information data to the department in a computer format approved by
11 the department. Each birth certificate shall contain such information as
12 the department may require and shall be completed in its entirety.
13 [Medical] The Social Security number of the mother and father and
14 health information which is required by the department, including
15 information regarding voluntary acknowledgments of paternity and
16 whether the child was born out of wedlock, shall be recorded on a

17 confidential portion of the certificate to be sent directly to the
18 department. Such confidential records may be used for statistical and
19 health purposes by the department or by a local director of health, as
20 authorized by the department, for records related to the town served
21 by the local director of health and where the mother was a resident at
22 the time of the birth of the child. Such birth certificate and confidential
23 records may be used internally by the hospital for records transmitted
24 by the hospital for statistical, health and quality assurance purposes.
25 The department shall give due consideration to national uniformity in
26 vital statistics in prescribing the format and content of such certificate.

27 (b) When a birth occurs in an institution or en route thereto, the
28 person in charge of the institution or such person's designated
29 representative shall obtain all available data required by the certificate,
30 prepare the certificate, certify that the child was born alive at the place
31 and time and on the date stated either by signature or by an electronic
32 process approved by the commissioner and file the certificate with the
33 registrar of vital statistics in the town in which the birth occurred, not
34 later than ten days after such birth. The physician or other person in
35 attendance, and the physician, institution or other person providing
36 prenatal care, shall provide the medical information required by the
37 certificate not later than seventy-two hours after the birth.

38 (c) When a birth occurs outside an institution, the certificate shall be
39 prepared and filed by the physician or midwife in attendance at or
40 immediately after the birth or, in the absence of such a person, by the
41 father or mother.

42 (d) When a birth occurs in a moving conveyance and the child is
43 first removed from the conveyance in this state, the birth shall be
44 registered in this state and the place where the child is first removed
45 shall be considered the place of birth.

46 Sec. 2. Section 7-51 of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective October 1, 2008*):

48 (a) The department and registrars of vital records shall restrict
49 access to and issuance of a certified copy of birth and fetal death
50 records and certificates less than one hundred years old, to the
51 following eligible parties: (1) The person whose birth is recorded, if
52 over eighteen years of age; (2) such person's children, grandchildren,
53 spouse, parent, guardian or grandparent; (3) the chief executive officer
54 of the municipality where the birth or fetal death occurred, or the chief
55 executive officer's authorized agent; (4) the local director of health for
56 the town or city where the birth or fetal death occurred or where the
57 mother was a resident at the time of the birth or fetal death, or the
58 director's authorized agent; (5) attorneys-at-law and title examiners
59 representing such person or such person's parent, guardian, child or
60 surviving spouse; (6) members of genealogical societies incorporated
61 or authorized by the Secretary of the State to do business or conduct
62 affairs in this state; (7) agents of a state or federal agency as approved
63 by the department; and (8) researchers approved by the department
64 pursuant to section 19a-25. Except as provided in section 19a-42a,
65 access to confidential files on paternity, adoption, gender change or
66 gestational agreements, or information contained within such files,
67 shall not be released to any party, including the eligible parties listed
68 in this subsection, except upon an order of a court of competent
69 jurisdiction.

70 (b) No person other than the eligible parties listed in subsection (a)
71 of this section shall be entitled to examine or receive a copy of any
72 birth or fetal death certificate, record or information, or disclose any
73 matter contained therein, except upon written order of a court of
74 competent jurisdiction. Nothing in this section shall be construed to
75 permit disclosure of (1) Social Security numbers, (2) information
76 contained in the "information for medical and health use only" section
77 of a birth certificate, or (3) the "information for statistical purposes
78 only" section of a birth certificate, other than the [Social Security
79 numbers,] race and ethnicity information of the parent or parents
80 recorded in the "administrative purposes" section of an electronically
81 filed birth or fetal death certificate or displayed on a manually filed

82 birth or fetal death certificate, unless specifically authorized by state or
83 federal law or by the department for statistical or research purposes.
84 Such confidential information, other than the excluded information set
85 forth in this subsection, shall not be subject to subpoena or court order
86 and shall not be admissible before any court or other tribunal.

87 (c) The registrar of the town in which the birth or fetal death
88 occurred or of the town in which the mother resided at the time of the
89 birth or fetal death, or the department, may issue a certified copy of the
90 certificate of birth or fetal death of any person born in this state which
91 is kept in paper form in the custody of the registrar. Such certificate
92 shall be issued upon the written request of an eligible party listed in
93 subsection (a) of this section. Any registrar of vital statistics in this
94 state with access, as authorized by the department, to the electronic
95 vital records system of the department may issue a certified copy of
96 the electronically filed certificate of birth or fetal death of any person
97 born in this state upon the written request of an eligible party listed in
98 subsection (a) of this section.

99 (d) The department and each registrar of vital statistics shall issue
100 only certified copies of birth certificates or fetal death certificates for
101 births or fetal deaths occurring less than one hundred years prior to
102 the date of the request.

103 Sec. 3. Subsection (a) of section 7-50 of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective*
105 *October 1, 2008*):

106 (a) No certificate of birth shall contain any specific statement that
107 the child was born in or out of wedlock or reference to illegitimacy of
108 the child or to the marital status of the mother, except that information
109 on whether the child was born in or out of wedlock and the marital
110 status of the mother shall be recorded on a confidential portion of the
111 certificate pursuant to section 7-48, as amended by this act. Upon the
112 completion of an acknowledgment of paternity at a hospital,
113 concurrent with the hospital's electronic transmission of birth data to

114 the department, or at a town in the case of a home birth, concurrent
 115 with the registration of the birth data by the town, the
 116 acknowledgment shall be filed in the paternity registry maintained by
 117 the department, as required by section 19a-42a, and the name of the
 118 father of a child born out of wedlock shall be entered in or upon the
 119 birth certificate or birth record of such child. All properly completed
 120 post birth acknowledgments or certified adjudications of paternity
 121 received by the department shall be filed in the paternity registry
 122 maintained by the department, and the name of the father of the child
 123 born out of wedlock shall be entered in or upon the birth record or
 124 certificate of such child by the department, if there is no paternity
 125 already recorded on the birth certificate. If another father's information
 126 is recorded on the certificate, the original father's information shall not
 127 be removed except upon receipt by the department of a certified order
 128 by a court of competent jurisdiction in which there is a finding that the
 129 individual recorded on the birth certificate, specifically referenced by
 130 name, is not the child's father, or a finding that a different individual
 131 than the one recorded, specifically referenced by name, is the child's
 132 father. The name of the father on a birth certificate or birth record shall
 133 otherwise be removed or changed only upon the filing of a rescission
 134 in such registry, as provided in section 19a-42a. The Social Security
 135 number of the father of a child born out of wedlock may be entered in
 136 or upon the birth certificate or birth record of such child if such
 137 [disclosure] entry is done in accordance with section 7-48, as amended
 138 by this act, and 5 USC 552a note.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	7-48
Sec. 2	<i>October 1, 2008</i>	7-51
Sec. 3	<i>October 1, 2008</i>	7-50(a)

Statement of Purpose:

To protect individual privacy rights by ensuring that any Social Security number that is placed on a birth certificate is placed in the confidential section of the birth certificate.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]